

**United States District Court**  
**Southern District of Texas**  
**Holding Session in Corpus Christi**

**United States of America**

v.

**FILIBERTO ENRIQUE BARRIENTOS, JR.**

Date of Previous Judgment: 05/11/2000  
(Use Date of Last Amended Judgment if Applicable)

CASE NUMBER: **2:99CR00305-001**

USM NUMBER: 89088-079

Jose Gonzalez-Falla, AFPD  
Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 135 months **is reduced to** time served.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: 33

Amended Offense Level: 31

Criminal History Category: I

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Previous Guideline Range: 135 to 168 months

Amended Guideline Range: 108 to 135 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

See Additional Comments Continued Sheet

Except as provided above, all provisions of the judgment dated May 11, 2000 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 4, 2008

  
Signature of Judge

Effective Date: \_\_\_\_\_  
(if different from order date)

**JANIS GRAHAM JACK**  
**UNITED STATES DISTRICT JUDGE**  
Name and Title of Judge

**MJ**  
CAV/rm